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8 **BEFORE THE**  
9 **STRUCTURAL PEST CONTROL BOARD**  
10 **DEPARTMENT OF CONSUMER AFFAIRS**  
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2014-57

13 **ESTATE TERMITE; VICTORIA SALAS;**  
14 **PRESIDENT**  
15 **2537 W. Beverly Blvd., Suite 202**  
16 **Montebello, CA 90640**  
17 **Company Registration Certificate No. PR**  
18 **6260**

**DEFAULT DECISION AND ORDER**

[Gov. Code, §11520]

Respondent.

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21 **FINDINGS OF FACT**

22 1. On or about May 8, 2014, Complainant Susan Saylor, in her official capacity as the  
23 Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer  
24 Affairs, filed Accusation No. 2014-57 against Estate Termite; Victoria Salas, President  
25 (Respondent) before the Structural Pest Control Board. (Accusation attached as Exhibit A.)

26 2. On or about March 29, 2011, the Structural Pest Control Board (Board) issued  
27 Company Registration Certificate No. PR 6260 to Respondent. The Company Registration  
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1 Certificate was in full force and effect at all times relevant to the charges brought in Accusation  
2 No. 2014-57.

3 3. On or about May 29, 2014, Respondent was served by Certified and First Class Mail  
4 copies of the Accusation No. 2014-57, Statement to Respondent, Notice of Defense, Request for  
5 Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and 11507.7) at  
6 Respondent's address of record which, pursuant to Business and Professions Code section 136, is  
7 required to be reported and maintained with the Board. Respondent's address of record was and  
8 is: 2537 W. Beverly Blvd., Suite 202 Montebello, CA 90640.

9 4. Service of the Accusation was effective as a matter of law under the provisions of  
10 Government Code section 11505, subdivision (c) and/or Business & Professions Code section  
11 124.

12 5. Government Code section 11506 states, in pertinent part:

13 (c) The respondent shall be entitled to a hearing on the merits if the respondent  
14 files a notice of defense, and the notice shall be deemed a specific denial of all parts  
15 of the accusation not expressly admitted. Failure to file a notice of defense shall  
constitute a waiver of respondent's right to a hearing, but the agency in its discretion  
may nevertheless grant a hearing.

16 6. Respondent failed to file a Notice of Defense within 15 days after service upon her of  
17 the Accusation, and therefore waived her right to a hearing on the merits of Accusation No. 2014-  
18 57.

19 7. California Government Code section 11520 states, in pertinent part:

20 (a) If the respondent either fails to file a notice of defense or to appear at the  
21 hearing, the agency may take action based upon the respondent's express admissions  
22 or upon other evidence and affidavits may be used as evidence without any notice to  
respondent.

23 8. Pursuant to its authority under Government Code section 11520, the Board finds  
24 Respondent is in default. The Board will take action without further hearing and, based on the  
25 relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as  
26 taking official notice of all the investigatory reports, exhibits and statements contained therein on  
27 file at the Board's offices regarding the allegations contained in Accusation No. 2014-57, finds  
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1 that the charges and allegations in Accusation No. 2014-57, are separately and severally, found to  
2 be true and correct by clear and convincing evidence.

3 9. Taking official notice of its own internal records, pursuant to Business and  
4 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation  
5 and Enforcement is \$2,000.00 as of October 20, 2014.

6 DETERMINATION OF ISSUES

7 1. Based on the foregoing findings of fact, Respondent has subjected its Company  
8 Registration Certificate No. PR 6260 to discipline.

9 2. The agency has jurisdiction to adjudicate this case by default.

10 3. The Structural Pest Control Board is authorized to revoke Respondent's Company  
11 Registration Certificate based upon the following violations alleged in the Accusation which are  
12 supported by the evidence contained in the Default Decision Evidence Packet in this case:

13 a. Business and Professions Code section 8642 (Gross Negligence).

14 b. Business and Professions Code section 8641 (Improper Inspection Reports).

15 c. Business and Professions Code section 8641 (Improper Inspections).

16 d. Business and Professions Code section 8622 (Failure to Comply with Report of  
17 Findings).

18 e. Business and Professions Code section 8642 (Fraudulent Acts).

19 f. Business and Professions Code section 8639 (Aiding and Abetting Unlicensed  
20 Practice).

21 g. Business and Professions Code section 8638 (Failure to Complete for the Project  
22 Price).

23 h. Business and Professions Code section 8642 (Gross Negligence).

24 i. Business and Professions Code section 8516 (Failure to Report WDO Activities).

25 j. Business and Professions Code section 8651 (Solicitation of Work Without Proper  
26 Licensure).


1 ORDER

2 IT IS SO ORDERED that Company Registration Certificate No. PR 6260, heretofore issued  
3 to Respondent is revoked.

4 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a  
5 written motion requesting that the Decision be vacated and stating the grounds relied on within  
6 seven (7) days after service of the Decision on Respondent. The agency in its discretion may  
7 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

8 This Decision shall become effective on December 14, 2014.

9 It is so ORDERED November 14, 2014

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13 FOR THE STRUCTURAL PEST CONTROL  
14 BOARD  
15 DEPARTMENT OF CONSUMER AFFAIRS

16 51621941.DOC  
DOJ Matter ID:LA2014511276

17 Attachment:  
18 Exhibit A: Accusation  
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